



# City of Rowlett

## Meeting Minutes

### City Council

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*City of Rowlett City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at 972-412-6115 or write 4000 Main Street, Rowlett, Texas, 75088, at least 48 hours in advance of the meeting.*

Tuesday, January 17, 2012

5:30 P.M.

Municipal Building – 4000 Main Street

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein.

The City of Rowlett reserves the right to reconvene, recess or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

**Present: Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops**

#### 1. CALL TO ORDER

Mayor Gottel called the meeting to order at 5:30 p.m.

#### CONVENE INTO EXECUTIVE SESSION

#### 2. EXECUTIVE SESSION

There were no Executive Session items.

#### RECONVENE INTO OPEN SESSION

Convened into the Work Session at 5:30 p.m.

#### 3. WORK SESSION ITEMS (5:30 P.M.)

- 3A. Discuss local preference changes in Texas Local Government Code per House Bill 1869 which became effective on June 17, 2011. (20 minutes)

This item followed Item 3C.

Staff spoke regarding the options on local preference. Stated the law changed where there is no longer a limitation on population size.

Spoke regarding the different options including:

- Keeping the policy as it currently is, where local preference is not given.
- The City can allow a 3% local vendor preference on contracts for the purchase of real property or personal property not affixed to real property.
- The City can allow a 5% local vendor preference on competitive sealed bids on contracts of less than \$100,000 involving the purchase of real property, personal property, or services.

If the purchase is under \$500,000 the 5% local vendor preference is allowed.

Stated a decision must be made by the local governing body as to whether or not there is an economic benefit for the local preference over awarding to the lowest bidder.

Staff stated the local option would apply to purchases over \$50,000.

Consensus was reached to support this item but to have the ability to revisit this item should the costs outweigh the benefits.

**3B. Discuss Accreditation Process for Parks and Recreation Department. (20 minutes)**

Staff spoke regarding the accreditation process. Stated the Parks and Recreation Department has started work towards accreditation by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA). CAPRA Standards for National Accreditation provide an authoritative assessment tool for park and recreation agencies. Through compliance with these national standards of excellence, CAPRA accreditation assures policy makers, department staff, the general public and taxpayers that an accredited park and recreation agency has been independently evaluated against established benchmarks as delivering a high level of quality the department would have to comply with approximately 150 standards.

CAPRA accreditation is a five-year cycle that includes three phases: development of the agency self-assessment report, the onsite visitation, and the Commission's review and decision. Stated by having the accreditation, this would put the City in a better position to receive grants.

Spoke regarding the five steps involved in the accreditation process:

1. Preliminary Application
2. Formal Accreditation Application and Self-Assessment
3. Visitation/On-Site Evaluation
4. Accreditation
5. Annual Report

At this time a DVD presentation was shown.

Staff stated the accreditation process will teach the Parks Department valuable lessons and will provide multiple benefits

- 3C. Discuss Municipal Maintenance Agreement between the State of Texas and the City of Rowlett for the maintenance and operation of certain traffic signals on Lakeview Parkway. (15 minutes)

This item followed Item 3G.

Staff gave a brief overview of this item. Stated the City is required to take over maintenance and operations of signals along Highway 66 (Lakeview Parkway) once the population on the City exceeds 50,000. Stated the City will also take over the three signal lights along the President George Bush Turnpike; however, the Texas Department of Transportation (TxDOT) will reimburse the City for maintenance, operations and repairs. Stated this will allow the City to adjust the signal timings and increase the response time to issues with signals without TxDOT's permission.

Stated Lee Engineering will begin a study to synchronize the timing of the signals; this will allow the City to optimize the signals along State Highway 66 and the corridor.

Item 3A followed this item.

- 3D. Discuss Five-Year Employee Benefit Strategy: Year 1 Review. (30 minutes)

This item was not discussed.

- 3E. Discuss revision parameters to the Rowlett Development Code Sign Ordinance. (40 minutes)

This item followed Item 3F.

Staff gave a brief history of this item. Spoke regarding the issues of current signage regulations, including:

- Unclear and/or contradictory regulations
- Content-based regulations
- Sign types omitted
- Redundant sign types
- Format/Structure of Code Language

Sometimes different staff members have completely different understandings of the same regulation. Stated staff finds the following regulations to be unclear or contradictory:

- Measurement standards

- Flags
- Prohibited signs
- Sign review
- Temporary signs
  - Balloon
  - Off-site directional signs
- Monument base requirement changes
- Programmed electronic display
- Illumination

Comments were made regarding allowing feather signs as a type of temporary sign; regarding allowing balloon and inflatable signs on a limited basis; regarding limitations for off-site directional signs to include limits on size, quantity, duration and other regulations; regarding Programmed electronic display to include scrolling text; and regulations for Illumination to include residential versus nonresidential.

Spoke regarding Content Based Regulations including:

- Monument signs for retail centers
- Real estate sign
- Identification sign
- Garage sale, estate sale, yard sale, or similar sign

Comments were made regarding monument signs for retail centers along PGBT to be reviewed further for the area size and the height.

Spoke regarding the following sign types that are not included in the sign ordinance. Staff suggests adding the following:

- Projecting
- Hanging
- Marquee
- Roof
- A-Frame
- Human

Comments were made regarding regulating the A-frame signs so that they do not replace feather signs.

Spoke regarding redundant sign types.

- Transportation Signs – these are government signs or on-site directional signs.
- Crime watch and similar signs – considered government signs and do not need to be defined or permitted apart from that.
- Advertising - this is defined the same as an off-premise sign, which is the standard and generally accepted terminology.

- Business sign - this is defined the same as an on-premise sign, which is the standard and generally accepted terminology.
- Residential information sign – covered by on-site direction signs.
- Signs for multiple buildings located on a single premise – as long as sign spacing is met, there is no need for this regulation.

Spoke regarding the format structure of the Code. Stated the current format is unclear and not very well organized. Further stated, the structure of 77-512 is hard to follow and locate regulations; nonconforming sign are dealt with in two code sections; specific regulations regarding sign size and locations are redundant; and the table of signs allowed by zoning district is unclear.

Item 3G followed this item.

**3F. Discuss a proposed senior housing project to be located at 5404 Kenwood Drive. (20 minutes)**

The item was discussed first during the Work Session.

Staff stated this item was placed on the agenda as follow-up to the January 3, 2012 meeting as research was needed to address questions regarding the Fair Housing Act as it pertains to age restrictions and review the requested resolutions in more detail with the City Attorney.

City Attorney stated Section 807(b) of the Fair Housing Act allows for an exemption for housing for older persons. Stated as long as the project is a State or Federal program and the complex is intended for people who are 62 years of age or older; or eighty percent of the units are occupied by people who are 55 years or older, then it is permissible by law.

Staff discussed the required items that will be needed for the developer to move forward for possible Federal approval. Stated the three items that will be needed are:

- Home resolution
- Revitalization designation resolution
- Economic Development Incentive Agreement

Staff spoke regarding the criteria contained in the City's Economic Development Incentive Policy from the year 2000. Stated there are specific criteria outlines that the applicant must address. In summary, the economic development incentive that the applicant would request is a \$5,000 incentive and the developer is willing to enter into a development agreement that would reimburse the City up to \$10,000 for associated fees.

A member of Council spoke regarding the mechanisms used to have the age restrictions in place for senior housing so the housing will be maintained as senior housing in future years.

Tony Sisk, a representative from Churchill Residential, stated the development would have deed restrictions placed on the property, not on the ownership. Stated the developer is willing

to have restrictions that state that 100% of the occupants must be the age of 62 or older if that is what the City requires.

A member of Council asked if the developer would be willing to obtain an opinion from an outside counsel of real estate to verify the restrictions would hold for the future years of the property.

Mr. Sisk answered in the affirmative.

A member of Council asked if the developer has ever assigned deed restrictions to a City.

Mr. Sisk's stated he was not sure if the deed restrictions have been assigned to a City in the past.

A member of staff stated the deed restrictions would not occur until after Federal approval and a zoning process.

A consensus was reach by the Council to move forward with this item.

Item 3G followed this item.

- 3G.** Staff from the Planning Division will provide an update regarding the Realize Rowlett 2020 Phase II process. (10 minutes)

This item followed Item 3E.

Staff updated the Council regarding the first advisory kickoff meeting which occurred on January 11<sup>th</sup>. Stated the meeting detailed the four opportunity areas; gave a brief overview of the scope; and provided the purpose of the advisory committee. Staff stated the meeting schedules should be finalized within the next couple of days.

Item 3C followed this item.

#### **4. DISCUSS CONSENT AGENDA ITEMS**

No items were removed from the Consent Agenda to be considered individually.

#### **RECEPTION**

The reception followed the State of the City Address.

## **CONVENE INTO THE COUNCIL CHAMBERS (7:30 P.M.)**

Convened into the Council Chambers at 7:38 p.m.

## **INVOCATION**

The invocation was led by Pastor Shane Pruitt, Connection Community Church.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Pro Tem Phillips.

## **TEXAS PLEDGE OF ALLEGIANCE**

The Texas Pledge of Allegiance was led by Deputy Mayor Pro Tem Kilgore.

## **5. PRESENTATIONS AND PROCLAMATIONS**

- 5A.** Update from the City Council and Management: Financial Position, Major Projects, Operational Issues, Upcoming Dates of Interest and Items of Community Interests.

Members of Council and Management gave a brief update to the Council on the various activities in the City including the mandatory Stage 3 Water Restrictions; the Rowlett Community Centre offers extended hours on Saturdays and Sundays through the month of March; the January 18<sup>th</sup> Special Council Work Session has been cancelled; the Scenic Point Park Community Input Meeting will be held on January 21<sup>st</sup> at the Community Centre beginning at 9:00 a.m.; the Animal Shelter will host a low-cost vaccination clinic on January 21<sup>st</sup> beginning at 12:30 p.m.; the January 26<sup>th</sup> Town Hall Meeting will begin at 7:00 p.m. at the Community Centre; the City Manager's Book Club will be held on January 19<sup>th</sup> at 7:00 p.m. at the Library; and the Heart of Texas Therapy Dogs will be at the Library on January 28<sup>th</sup> at 2:00 p.m.

- 5B.** Mayor's State of the City Address.

This item followed the Consent Agenda.

Mayor Gottel briefly thanked staff for their service, the community for making this City great, the volunteers for their commitment, and the Councilmembers for dedication. Spoke regarding the accomplishments of the City. At this time, a taped State of the City Address was shown. Spoke concerning community meetings and events; the City's financial transparency; Realize Rowlett 2020 Project; the dedication of the Coyle House Farmstead; the supervised afterschool

activities provided by the Parks and Recreation Department; the national recognition of the Police Department; the increase in code compliance throughout the City; and the opening of the President George Bush Turnpike.

**6. CITIZENS' INPUT**

No one spoke during Citizens' Input.

**7. CONSENT AGENDA**

No items were removed from the Consent Agenda to be considered individually.

The Interim City Secretary read the items into the record.

**7A. Consider approving minutes from the January 3, 2012 City Council Regular Meeting.**

**This item was approved on the Consent Agenda.**

**7B. Consider action to approve and adopt the Governmental Accounting Standards Board (GASB) 54 Policy, delegating the responsibility to assign funds to the Chief Financial Officer and/or the Director of Financial Services, and amending the existing Fiscal and Financial Policies to incorporate the new policy and approved delegation.**

**This item was approved as RES-011-12 on the Consent Agenda.**

**7C. Consider action to approve a resolution to participate in an Interlocal cooperation agreement with Garland Independent School District (GISD) to cooperatively purchase goods and services for each governmental entity.**

**This item was approved as RES-012-12 on the Consent Agenda.**

**7D. Consider action to approve a resolution reserving oil and gas rights in conveyances of City-owned real property.**

**This item was approved as RES-013-12 on the Consent Agenda.**

**7E. Consider action to approve a resolution to award a bid for the purchase of six patrol vehicles to Dallas Dodge Chrysler Jeep in the amount of one hundred sixty-three thousand eight hundred**



seventy-two dollars (\$163,872) for the Police Department through the Interlocal Cooperative Purchasing Agreement with the Houston-Galveston Area Council (H-GAC).

**This item was approved as RES-014-12 on the Consent Agenda.**

- 7F. Consider action to approve an ordinance amending the Code of Ordinances by amending Chapter 6 to revise the definitions of "Dangerous Animals", "Dangerous Propensities", and "Vicious Animal"; and by amending Chapter 6 to replace the word "Animal" with "Dog".

**This item was approved as ORD-005-12 on the Consent Agenda.**

- 7G. Consider action to approve a resolution accepting the formal report from Freese and Nichols, Incorporated, and accepting Option Number 3 as the recommended alignment for the Merritt Road/Liberty Grove Extension.

**This item was approved as RES-015-12 on the Consent Agenda.**

- 7H. Consider a resolution approving an agreement between the City and the Texas Department of Transportation for the installation, maintenance and operation of certain traffic signals on State highways within the City of Rowlett's jurisdiction and authorizing the Mayor to execute the Agreement on the City's behalf.

**This item was approved as RES-016-12 on the Consent Agenda.**

- 7I. Consider approving a resolution authorizing the City Manager to execute a License Agreement with Dallas Area Rapid Transit for the construction, installation, maintenance, and operation of one 54-inch reinforced concrete pipe (RCP) within a 74-inch steel casing pipe, carrying storm water, crossing the North East Garland Line at Miller Road.

**This item was approved as RES-017-12 on the Consent Agenda.**

#### **Passed The Consent Agenda**

A motion was made by Mayor Pro Tem Phillips, seconded by Councilmember Davis, including all the preceding items marked as having been approved on the Consent Agenda. The motion carried by the following vote:

**Ayes: 7 Mayor Gottel, Mayor Pro Tem Phillips, Deputy Mayor Pro Tem Kilgore, Councilmember Davis, Councilmember Pankratz, Councilmember Miller and Councilmember Gallops**

8. ITEMS FOR INDIVIDUAL CONSIDERATION


There were no Items for Individual Consideration.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON CLOSED/EXECUTIVE SESSION MATTERS

There were no Executive Session items to take action on.

9. ADJOURNMENT

Mayor Gottel adjourned the meeting at 8:38 p.m.

  
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Todd W. Gottel, Mayor

  
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Stacey Chadwick, Interim City Secretary

Date Approved: February 7, 2012